

**BOROUGH OF ROCKY HILL  
COUNCIL MINUTES  
April 18, 2011**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor Edward Zimmerman at 7:30 PM followed by the salute to the Flag.

**NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT**

The following statement was read into the record by Mayor Zimmerman: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meetings transmitted to the Courier News and Somerset Spectator on January 5, 2011. Notice remains continuously posted as to required notices under the Statute. A copy of this notice is available to the public and is on file in the Office of the Borough Clerk.

*\*Mayor Zimmerman requested a moment of silence for former Freeholder, Rose McConnell, who passed away.*

**ROLL CALL**

Mr. Tom Bremner-absent, Mr. Jeff Donahue-present, Mr. Joshua E. Hochberg-absent, Ms. Julia Hasser-present, Mr. Mark Pausch-present, Mr. Robert Steen-present.

Also present: Borough Attorney Albert Cruz, CFO Joseph Monzo, Deputy Clerk Raymond Whitlock

**MAYOR'S COMMENTS**

Mayor Zimmerman wished everyone Happy Passover as the holiday began today.

Mayor Zimmerman stated that the Somerset County Governing Officials meeting would be Wednesday May 11, 2011. The meeting will be held at the Montgomery High School and the speaker will be the Commissioner of Education Chris Cerf. Mayor Zimmerman urged members of Council to let Acting Clerk Newman know as soon as possible if they would like to attend.

Mayor Zimmerman stated he was in receipt of a letter of resignation from Al Chini, Borough Constable. Mayor Zimmerman stated that his last day would be within the month, depending on the Borough's needs.

**APPROVAL OF MINUTES**

Regular Meeting Minutes – April 4, 2011 – Motion was made by Hasser to approve the minutes as presented. Motion was seconded by Donahue. Motion carried on roll call vote- all ayes.

For: Donahue, Hasser, Pausch, Steen  
Against: None  
Abstain: None

Executive Session Minutes- April 4, 2011 - Motion was made by Donahue to approve the minutes as presented. Motion was seconded by Hasser. Motion carried on roll call vote-all ayes.

For: Donahue, Hasser, Pausch, Steen  
Against: None  
Abstain: None

**REQUEST OF COUNCIL FOR NEW OR OLD BUSINESS (NOT ON AGENDA)**

None

**PUBLIC COMMENT**

Approved 5/2/11

The floor was opened to the public for comments/questions.

Courtney White, 49 Washington Street- Mrs. White reminded the Council that the egg hunt was scheduled for Saturday April 23, at 11:00 AM. Mrs. White also confirmed that permission had been granted to allow the hunt to take place at the Borough Hall, as she sent an email in February requesting permission. Mrs. White also mentioned that the town wide yard sale was scheduled for May 14, and also inquired about the trash pick up. Deputy Clerk Whitlock responded the pick up would be the third Tuesday in May, the 17<sup>th</sup>.

Hearing no further comments the floor was closed to the public

#### **APPROVAL OF VOUCHERS**

**Bill List dated 4/18/2011**- Motion was made by Steen with a second by Donahue to approve the vouchers as presented.

For: Donahue, Hasser, Pausch, Steen

Against: None

Abstain: None

#### **DEPARTMENTAL REPORTS**

Tax Collector Report – March 2011

Court Administrator Report - March 2011

Mayor Zimmerman summarized the Court Administrators report for the month of March. Motion was made by Pausch to approve the reports as presented. Motion was seconded by Steen. Motion carried on roll call vote- all ayes.

For: Donahue, Hasser, Pausch, Steen

Against: None

Abstain: None

#### **COMMITTEE REPORTS**

**Administration & Records** –Nothing to report at this time. Mayor Zimmerman stated that he would like to form a committee to screen candidates for the deputy clerk position.

**Buildings & Grounds** – Council Member Donahue stated that the new tennis signs are up at the courts. Council Member Donahue also stated that he emailed Brenda Fallon regarding the memorial for 9/11. Council Member Donahue also stated that several small items were repaired at Borough Hall. Council Member Donahue mentioned that the basketball net at the Borough Hall was moved/bent somehow. Council Member Donahue stated that some branches need to be trimmed at the Borough Hall as the tennis court entrance is being blocked.

**Finance & Insurance** - Nothing to report at this time, however, CFO Monzo mentioned that he would present a resolution changing the name of the Borough Depository from Amboy to First Constitution as it changed.

**Public Safety & Emergency Services**- Council President Pausch stated that several signs in the Borough had been defaced and several signs were missing completely. Council President Pausch stated that a report would be made to the State Police.

**Streets & Roads** – Council Member Hasser gave a summary supplied by Council Member Bremner. Council Member Bremner completed a theft and defacement report and took a complete sign inventory in the Borough. Council Member Hasser also reported that the potholes on 518 were repaired and a resident contacted the County directly to have potholes on Montgomery filled. Mayor Zimmerman added that Council Member Bremner was prepared to fill the potholes temporarily until the road was re-paved and in the interim a resident called and the County repaired them. Mayor Zimmerman stated that there needs to be better communication between the Borough and the County, to alert them that a road will be repaved. Members of Council agreed and a discussion ensued regarding who from the Borough should be authorized to approve repairs on made by the County on Borough owned Roads. It was determined if a resident contacts the County, the County shall check with the clerk, the mayor, or the streets and roads person, or back up person to obtain authorization to proceed. Council Member Hasser asked that Council Member

Approved 5/2/11

Bremner's phone number and the clerks phone number be published and placed on the website as contacts regarding street issues.

**Water, Sewer & Environmental Protection** – Council Member Steen summarized the report for March and stated there were no calls or issues. Council Member Steen stated that they plan to replace the roof on the well house as soon as possible.

**Council Representative to Planning Board** – Council Member Hasser stated there was no meeting in March.

**Recreation Committee**-Nothing at this time.

**Council Representative to Board of Health** – Council President Pausch stated the County was inquiring about the status of the Borough Well capping.

**Zoning Official's Report** – Zoning officer Whitlock stated that Dan Kluchinski would be adding a small addition onto his home. A certificate of appropriateness was not needed; as the addition would be outside the setbacks. Zoning Officer Whitlock also stated there had been no work at the Karch residence on the porch.

**Grants Committee** – Council Member Donahue stated that Council Member Bremner had been working on the Historical Preservation Grant and there was a resolution on the agenda regarding submission.

### **SPECIAL BUSINESS**

**Resolution 2011- 36 Resolution Allowing the Municipal Budget for the Fiscal Year 2011 to be Read by Title**

Motion was made by Donahue to approve the resolution as presented. Motion was seconded by Hasser. Motion carried on roll call vote- all ayes.

For: Donahue, Hasser, Pausch, Steen

Against: None

Abstain: None

**Public Hearing: Municipal Budget of the Borough of Rocky Hill, County of Somerset, for the Fiscal Year 2011**

### **Public Comment**

Mayor Zimmerman opened the meeting to the public. Hearing no comments the floor was closed to the public.

**Resolution 2011- 37 Amendment to the Municipal Budget of the Borough of Rocky Hill, County of Somerset, for the Fiscal Year 2011**

CFO Monzo stated that an amendment was made to the budget upon the request of the Director of the Division of Local Government Service (DLGS). The DLGS asked that the Borough lower the amount in the sewer utility surplus.

Motion was made by Hasser to approve the resolution as presented. Motion was seconded by Steen. Motion carried on roll call vote- all ayes.

For: Donahue, Hasser, Pausch, Steen

Against: None

Abstain: None

**Resolution 2011- 38 Resolution to Adopt Municipal Budget of the Borough of Rocky Hill, County of Somerset, for the Fiscal Year 2011 as Amended**

Mayor Zimmerman read the budget by title. Motion was made by Steen to approve the resolution as presented. Motion was seconded by Pausch. Motion carried on roll call vote- all ayes.

For: Donahue, Hasser, Pausch, Steen

Against: None

Abstain: None

Approved 5/2/11

CFO Monzo thanked members of Council for introducing and adopting the budget in accordance with the timeline set by the Department of Community Affairs. CFO Monzo also stated that because of the use of surplus and a change in some appropriations the Borough, once again, has a zero cent local tax increase, so the revaluation cannot be blamed for an increase.

Resolution 2011- 39 Possible Award of Professional Services Contract for Tax Appeal

Motion was made by Steen with a second by Pausch to approve the resolution as presented. Motion carried on roll call vote- all ayes.

For: Donahue, Hasser, Pausch, Steen  
Against: None  
Abstain: None

Resolution 2011- 40 Possible Award of Contract for Lawn Maintenance

Motion was made by Donahue to approve the resolution as presented. Motion was seconded by Hasser. Motion carried on roll call vote- all ayes.

For: Donahue, Hasser, Pausch, Steen  
Against: None  
Abstain: None

Resolution 2011- 41 Possible Award of Contract Extension for Lawn Maintenance Section B

Motion was made by Donahue with a second by Pausch to approve the resolution as presented. Motion carried on roll call vote- all ayes.

For: Donahue, Hasser, Pausch, Steen  
Against: None  
Abstain: None

Resolution 2011- 42 Receipt of Disaster Preparedness Assessment

Motion was made by Hasser to approve the resolution as presented. Motion was seconded by Pausch. Motion carried on roll call vote- all ayes.

For: Donahue, Hasser, Pausch, Steen  
Against: None  
Abstain: None

Resolution 2011- 43 Resolution to Authorize Submission of a Grant Proposal for the Historic Preservation of Borough Hall

Council Member Donahue stated that the Borough has received three quotes between \$28,000 and \$46,000 from Architects with Historical expertise, to compile a plan to restore the Borough Hall. This grant would fully fund the necessary study. Mayor Zimmerman commented that Council Member Bremner has put a great deal of effort forth regarding this grant, which is greatly appreciated. Council Member Donahue asked that the Council approve the resolution to preserve Borough Hall.

Motion was made by Hasser to approve the resolution as presented. Motion was seconded by Pausch. Motion carried on roll call vote- all ayes.

For: Donahue, Hasser, Pausch, Steen  
Against: None  
Abstain: None

Approved 5/2/11

Resolution 2011- 44 Resolution to Authorize the Mayor and Clerk to Sign the Memorandum of Understanding for Van Horne Park

Motion was made by Steen with a seconded by Hasser to approve the resolution as presented. Motion carried on roll call vote- all ayes.

For: Donahue, Hasser, Pausch, Steen

Against: None

Abstain: None

**UNFINISHED BUSINESS**

Update on the Rocky Hill Rescue Squad - Mayor Zimmerman stated he attended a meeting with the Rocky Hill Rescue Squad and it was extremely positive. Mayor Zimmerman stated that several former members are returning to volunteer which is great. Mayor Zimmerman informed the Council the Rocky Hill Fire Department is going to handling the swift water rescues. Deputy Clerk Whitlock stated that the fire department members are currently going through training, which would be completed within 4-6 weeks.

Request for Mock School Board Election – No one appeared before Council to explain the request so members of Council decided against holding a mock school board election.

9/11 Monument Design- Mayor Zimmerman updated the Council on the William Fallon Jr. memorial. Mayor Zimmerman circulated several drawings to Council regarding the display of the beam. Mayor Zimmerman explained each drawing and its meaning. Members of Council opined on which drawing they would like to see created for the park. A discussion ensued regarding the planning of the event.

**NEW BUSINESS**

None

**COMMUNICATIONS:**

Communications as listed were distributed, disseminated and filed accordingly.

Mayor Zimmerman added the following to communications:

-A letter of resignation from Constable Chini.

-A letter from Mayor Zuza from Manville to pass a resolution for the Flood Control Commission

-A letter from the County for subcontractor services

**FINAL PUBLIC COMMENT**

The floor was opened to the public for comments/questions:

Jill Cook, 73 Washington St.- Ms. Cook inquired about the work going on at the drainage pond. Mayor Zimmerman responded that there are repairs being made.

Hearing no further comments the floor was closed to the public.

**ADJOURNMENT:**

Motion was made by Pausch with a second by Steen to adjourn the meeting at 8:35 PM. All voted in favor of adjournment.

Respectfully submitted:

Rebecca P. Newman  
Acting Borough Clerk

*Bill List 4.18.11*  
**List of Bills - (0110101001) CASH**  
**CURRENT FUND**

| Check# | Vendor                                    | Description                               | Payment   | Check Total |
|--------|---|---|-----------|-------------|
| 6751   | 29 - BOLLINGER INC                        | PO 3231 bond for municipal clerk          | 100.00    | 100.00      |
| 6752   | 29 - BOLLINGER INC                        | PO 3232 ems accident/health insurance     | 12,917.80 | 12,917.80   |
| 6753   | 29 - BOLLINGER INC                        | PO 3233 3rd inst. comm pack & worker comp | 5,172.00  | 5,172.00    |
| 6754   | 29 - BOLLINGER INC                        | PO 3242 surety bond ct administrator      | 100.00    | 100.00      |
| 6755   | 360 - MCNEIL & COMPANY INC                | PO 3230 rescue squad insurance            | 3,743.25  | 3,743.25    |
| 6756   | 184 - NEW JERSEY CONFERENCE OF MAYORS     | PO 3251 conf reg & dinner                 | 225.00    | 225.00      |
| 6757   | 210 - PSE&G                               | PO 3234 panicaro park electric            | 20.55     | 20.55       |
| 6758   | 210 - PSE&G                               | PO 3235 boro hall electric                | 293.87    | 293.87      |
| 6759   | 210 - PSE&G                               | PO 3236 crescent pt park electric         | 5.04      | 5.04        |
| 6760   | 210 - PSE&G                               | PO 3239 street lights to 4-01-2011        | 718.71    | 718.71      |
| 6761   | 251 - SOUTH BOUND BROOK BOROUGH           | PO 3241 police services 3-19 to 4-09-2011 | 4,336.78  | 4,336.78    |
| 6762   | 286 - VAN CLEEF ENGINEERING               | PO 3237 eng exp march 2011                | 2,639.64  | 2,639.64    |
| 6763   | 293 - ROCKY HILL WATER & SEWER DEPARTMENT | PO 3238 1st qtr watersewer, & hydrant fee | 754.00    | 754.00      |
| TOTAL  |   |   |           | 31,026.64   |

Total to be paid from Fund 01 CURRENT FUND

31,026.64

31,026.64

**List of Bills - (0810101001) CASH**  
**UTILITY OPERATING**

| Check# | Vendor                                  | Description                             | Payment  | Check Total |
|--------|---|---|----------|-------------|
| 6501   | 415 - AQUA PRO TECH LABS                | PO 3250 water tests 2-7,3-3, & 4-5-2011 | 319.55   | 319.55      |
| 6502   | 364 - BRIAN RICHTER                     | PO 3246 1st qtr water meter readings    | 200.00   | 200.00      |
| 6503   | 93 - Donna M. Griffiths                 | PO 3243 postage reimburse water sewer   | 84.00    | 84.00       |
| 6504   | 447 - HACH CO. C/O NORTHEAST TECH SALES | PO 2628 sewer meter along princeton ave | 995.00   | 995.00      |
| 6505   | 321 - MIRACLE CHEMICAL CO               | PO 3245 25 gallons chlorine             | 73.50    | 73.50       |
| 6506   | 450 - ONE CALL CONCEPTS INC             | PO 3248 march 2011 one calls            | 1.07     | 1.07        |
| 6507   | 204 - PITNEY BOWES                      | PO 3244 postage mach rental april 2011  | 29.00    | 29.00       |
| 6508   | 210 - PSE&G                             | PO 3247 water dept electric             | 2,500.00 | 2,500.00    |
| 6509   | 311 - TIM LESKO                         | PO 3252 water dept maint                | 196.26   | 196.26      |
| 6510   | 286 - VAN CLEEF ENGINEERING             | PO 3249 sewerage system work            | 617.81   | 617.81      |
| TOTAL  |   |   |          | 5,016.19    |

Total to be paid from Fund 08 UTILITY OPERATING

5,016.19

5,016.19

*Dog Trust Fund*

1001

State Treas.

*Dog License Fees March 2011*

*\$ 18.00*

**Borough of Rocky Hill  
County of Somerset**

**Resolution 2011-37**

**Resolution to Amend the Introduced 2011 Budget**

**WHEREAS**, the local municipal budget for the year 2011 was introduced on the 7<sup>th</sup> day of March 2011; and

**WHEREAS**, the public hearing on said budget has been held as advertised; and

**WHEREAS**, it is desired to amend said introduced budget;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Borough of Rocky Hill, County of Somerset that the following amendments to the introduced budget of 2011 be made.

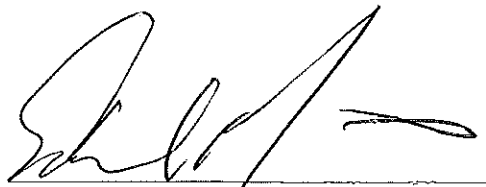
**BE IT FURTHER RESOLVED**, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for certification of the 2011 local municipal budget so amended.

**Amendment to the Local Municipal 2011 Budget**

|                                       | <u>From</u> | <u>To</u>  |
|---------------------------------------|-------------|------------|
| <b>Water and Sewer Utility Budget</b> |             |            |
| <b>10.Dedicated Revenues</b>          | -           | -          |
| <b>1. Surplus Anticipated</b>         | 25,000.00   | 11,000.00  |
| <b>Total Water and Sewer Revenues</b> | 230,050.00  | 216,050.00 |

|   |            |            |
|---|------------|------------|
| <b>11. Appropriations for Water and Sewer Utility</b> |            |            |
| <b>Operating</b>                                      |            |            |
| Other Expenses  | 87,150.00  | 85,150.00  |
| Sewer Service Fee ( Montgomery Twp)                   | 122,500.00 | 110,500.00 |
| <b>Total Water and Sewer Utility Appropriations</b>   | 230,050.00 | 216,050.00 |



Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Rocky Hill on April 18, 2011.

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Rebecca P. Newman  
Acting Borough Clerk



**SECTION 2 - UPON ADOPTION FOR YEAR 2011**

(Only to be included in the Budget as Finally Adopted)

**RESOLUTION 2011-38**

Be it Resolved by the Council of the Borough of Rocky Hill, County of Somerset, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) \$ 453,255.63 (Item 2 below) for municipal purposes, and  
 (b) \$ 0.00 (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,  
 (c) \$ 0.00 (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in

Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.

(d) \$ 12,500.00 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy

|                                     |      |   |      |   |           |   |
|-------------------------------------|------|---|------|---|-----------|---|
| RECORDED VOTE<br>(Insert last name) | Ayes | { | Nays | { | Abstained | { |
|                                     |      |   |      |   |           |   |

| SUMMARY OF REVENUES   |  |        |        |      |              |
|---|--|--------|--------|------|--------------|
| 1. General Revenues   |  |        |        |      |              |
| Surplus Anticipated   |  |        | 08-100 | \$   | 318,000.00   |
| Miscellaneous Revenues Anticipated  |  |        | 13-099 | \$   | 219,541.00   |
| Receipts from Delinquent Taxes  |  |        | 15-499 | \$   | 30,000.00    |
| 2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)                                     |  |        | 07-190 | \$   | 453,255.63   |
| 3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:                                     |  |        |        |      |              |
| Item 6, Sheet 42  |  | 07-195 | \$     | 0.00 |              |
| Item 6(b), sheet 11 (N.J.S. 40A:4-14)   |  | 07-191 | \$     | 0.00 |              |
| Total Amount to be Raised by Taxation for Schools in Type I School Districts Only                                   |  |        |        |      | 0.00         |
| 4. To Be Added to the Certificate for Amount to be Raised by Taxation for SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY: |  |        |        |      |              |
| Item 6(b), Sheet 11 (N.J.S. 40A:4-14)   |  |        | 07-191 | \$   |              |
| Total Revenues  |  |        | 13-299 | \$   | 1,020,796.63 |

## SUMMARY OF APPROPRIATIONS

|   |  | 2011    |                 |
|---|--|---------|-----------------|
| <b>5. GENERAL APPROPRIATIONS</b>  |  | xxxxxxx | xxxxxxxxxxxxxx  |
| Within "CAPS"   |  | xxxxxxx | xxxxxxxxxxxxxx  |
| (a&b) Operations Including Contingent   |  | 34-201  | \$ 625,392.75   |
| (e) Deferred Charges and Statutory Expenditures - Municipal                               |  | 34-209  | \$ 17,514.51    |
| (g) Cash Deficit  |  | 46-885  | \$ 0.00         |
| Excluded from "CAPS"  |  | xxxxxxx | xxxxxxxxxxxxxx  |
| (a) Operations - Total Operations Excluded from "CAPS"                                    |  | 34-305  | \$ 182,155.00   |
| (c) Capital Improvements  |  | 44-999  | \$ 0.00         |
| (d) Municipal Debt Service  |  | 45-999  | \$ 34,250.00    |
| (e) Deferred Charges - Municipal  |  | 46-999  | \$ 91,031.00    |
| (f) Judgements  |  | 37-480  | \$ 0.00         |
| (n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3) |  | 29-405  | \$ 0.00         |
| (g) Cash Deficit  |  | 46-885  | \$ 0.00         |
| (k) For Local District School Purposes  |  | 29-410  | \$ 0.00         |
| (m) Reserve for Uncollected Taxes (Include Other Reserves if Any)                         |  | 50-899  | \$ 70,453.37    |
| 6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)                 |  | 07-195  | \$ 0.00         |
| Total Appropriations  |  | 34-499  | \$ 1,020,796.63 |

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 18th day of April 2011. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2010 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 18th day of April 2011, Clerk.

  
Signature

**Explanation:** This Resolution authorizes representation of the Borough of Rocky Hill in Bank of America Corporation v. Borough of Rocky Hill.

**BOROUGH OF ROCKY HILL  
RESOLUTION NO. 2011 - 39**

**WHEREAS,** The Bank of America Corporation has filed a tax appeal in the Tax Court of New Jersey; and

**WHEREAS,** the Borough Attorney determined that his firm has a conflict regarding representing the Borough in this tax appeal; and

**WHEREAS,** Richard M. Conley, Esq. of Richard M. Conley, LLC has extensive expertise with litigating tax appeals; and

**WHEREAS,** the Borough shall retain Richard M. Conley, Esq. of Richard M. Conley, LLC for additional tax appeals that the Borough Attorney determines his firm has a conflict with; and

**WHEREAS,** Mr. Conley agreed to represent the Borough in this lawsuit at a rate of \$150.00 per hour for an amount not to exceed \$5,000.00.

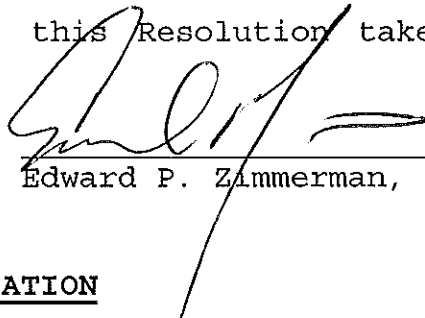
**NOW, THEREFORE, BE IT RESOLVED,** that the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, does hereby approve the award of a professional service contract for Mr. Conley's services to litigate and to possibly file a counterclaim against the Bank of America Corporation, to protect the Borough; and

**BE IT FURTHER RESOLVED** that this contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. but has been awarded based on the merit and ability of Richard M. Conley, Esq., and Mr. Conley attests that neither he nor Richard M. Conley, LLC or its subsidiaries, assigns or principals controlling in excess of ten (10%) percent of the firm have made a contribution that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any state, county or municipal committee of a political party; any

legislative leadership committee; any continuing political committee; any candidate committee of a candidate for, or holder of, an elective office, when the contract is awarded; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified the availability of funds for this award; and

BE IT FURTHER RESOLVED that this Resolution takes effect immediately.

  
Edward P. Zimmerman, Mayor

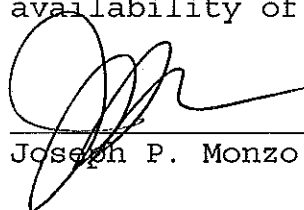
CERTIFICATION

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Rocky Hill on April 18, 2011.

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Rebecca P. Newman  
Acting Borough Clerk

I, Joseph P. Monzo, Chief Financial Officer, hereby certify the availability of funds from: 01-201-20-155-175.

  
Joseph P. Monzo, CFO

**RESOLUTION 2011 - 40**

**BOROUGH OF ROCKY HILL  
SOMERSET COUNTY**

**WHEREAS**, the Borough of Rocky Hill desires to enter into a contract for lawn services; and

**WHEREAS**, the Borough has received four quotes for this work because the work is below the bid threshold as follows:

|                                      |                         |
|--------------------------------------|-------------------------|
| Mastrianni Landscaping, Hopewell, NJ | Section A - \$7,964.00  |
| John Kessler, Monmouth Jct., NJ      | Section A - \$7,540.00  |
| G&T Landscaping, Hillsborough, NJ    | Section A - \$8,373.00  |
| L. Robotti Lawn & Landscape, NJ      | Section A - \$14,435.00 |

**WHEREAS**, the quote that is most advantageous to the Borough for Section A, Items (Lawn Area Maintenance Services) of the bid summary is from John Kessler, Monmouth Junction, NJ in the amount of \$7,540.00; and

**WHEREAS**, the total value of these services for the year 2011 is less than \$17,500 and, therefore, these services are exempt from the Local Unit Pay-to-Play law, N.J.S.A. 19:44A-27.7 et seq.; and

**WHEREAS**, approval of said resolution is conditioned upon there being sufficient funds in the Borough's budget to pay for these services;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

1. That the Borough Council confirms the award of contracts as follows:
  - Section A of the bid summary from John Kessler, Monmouth Junction, NJ in the amount of \$7,540.00.
2. Availability of funds for the award of said contract from the Borough of Rocky Hill budget have been certified by the Chief Financial Officer.
3. This Resolution shall take effect immediately.

ATTEST:

By: \_\_\_\_\_

Rebecca P. Newman  
Acting Borough Clerk

By: \_\_\_\_\_

Edward P. Zimmerman, Mayor

I, Joseph P. Monzo, Chief Financial Officer of the Borough of Rocky Hill do hereby  
certify that funds for this contract are available from: 01-201-26-310-020.



\_\_\_\_\_  
Joseph P. Monzo, Chief Financial Officer

**CERTIFICATION**

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill do hereby  
certify the foregoing to be a true and correct copy of a Resolution adopted by the  
Borough Council on April 18, 2011.

\_\_\_\_\_  
Rebecca P. Newman  
Acting Borough Clerk

**RESOLUTION 2011- 41**

**BOROUGH OF ROCKY HILL  
SOMERSET COUNTY**

**WHEREAS**, the Borough of Rocky Hill desired to enter into a contract for lawn maintenance service for section B; and

**WHEREAS**, the Borough solicited quotes for this work because it is below the bid threshold; and

**WHEREAS**, the following quotes were received:

- Maitland VanNostrand, Skillman, NJ                      Section B - \$1,200.00

**WHEREAS**, on April 19, 2010, the Borough of Rocky Hill awarded a one (1) year contract to Maitland VanNostrand, ending on April 19, 2011; and

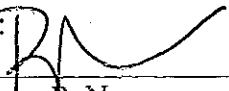
**WHEREAS**, the Borough of Rocky Hill would like to extend the contract for an additional year to Maitland VanNostrand at the same amount of \$1,200.00;

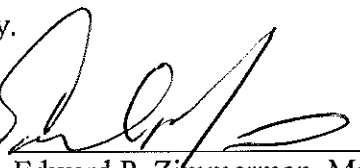
**WHEREAS**, the initial contract and extension are below the bid threshold and will not exceed \$15,100.00 pursuant to N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, there are sufficient funds in the Borough's budget to pay for these service.

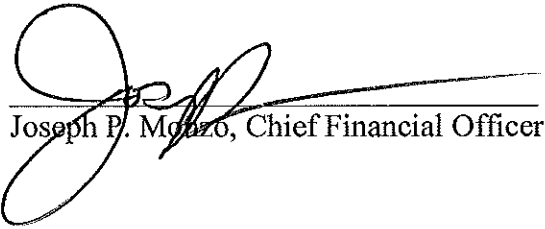
**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

1. That the Borough of Rocky Hill awards a contract extension to Maitland VanNostrand, to perform the following services: lawn maintenance services, Section B, in the amount of \$1,200.00.
2. That there are sufficient funds in the Borough of Rocky Hill budget for this purchase as certified by the Chief Financial Officer.
3. This Resolution shall take effect immediately.

ATTEST:   
By: \_\_\_\_\_  
Rebecca P. Newman  
Acting Borough Clerk

By:   
\_\_\_\_\_  
Edward P. Zimmerman, Mayor

I, Joseph P. Monzo, Chief Financial Officer of the Borough of Rocky Hill do hereby certify that funds for this contract are available from: 01-201-26-310-020



\_\_\_\_\_  
Joseph P. Monzo, Chief Financial Officer

**CERTIFICATION**

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on April 18, 2011.

\_\_\_\_\_  
Rebecca P. Newman  
Borough Clerk



BOROUGH OF ROCKY HILL  
SOMERSET COUNTY

RESOLUTION 2011-42

**WHEREAS**, the State of New Jersey has launched its pioneering Public Archives and Records Infrastructure Support (PARIS) grant program to meet the strategic records management, needs of county and municipal governments; and

**WHEREAS**, in support of this program Access Systems has been contracted through Somerset County to perform a Disaster Preparedness Assessments focused on essential records and develop draft Business Records Continuity Plans (BRCP) and Disaster Preparedness Assessment Reports for each of the 21 municipalities within the County.

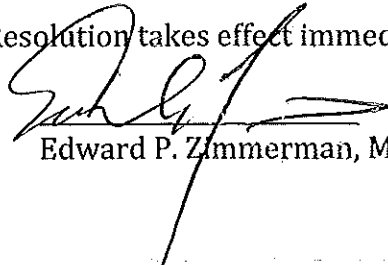
**WHEREAS**, also included as a part of this project was a preparedness review of all of the County's Departments and divisions with regards to their respective abilities to protect and readily assess essential records in event of a disaster.

**WHEREAS**, this document addresses the project's finding within the various functional units of each municipality as well as provides recommendations for the municipality to further protect its own records and ensure their accessibility in the event of a disaster.

**WHEREAS**, a separate document given to the County called the "Municipal Business Records Protection Assessment Summary Report", presents a summary of the findings among the 21 municipalities and their ability to respond to a disaster affecting electronic and hardcopy records. Additionally, the summary document also identifies common areas needing improvements in disaster prevention and recovery among the municipalities, and where the County may be able to provide further assistance related to protecting essential municipal records. This document will be used by the County to identify further potential grant funding to assist municipalities in their endeavors to enhance their disaster preparedness and Business Records Continuity Plans (BRCP).

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Rocky Hill, that the Borough of Rocky Hill has received the Disaster Preparedness Assessment in addition to the Business Records Continuity Plan (BRCP) prepared by Access Systems per the contract with Somerset County.

**BE IT FURTHER RESOLVED** that this Resolution takes effect immediately.

  
Edward P. Zimmerman, Mayor

## CERTIFICATION

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Rocky Hill on April 18, 2011.

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Rebecca P. Newman  
Acting Borough Clerk

BOROUGH OF ROCKY HILL  
SOMERSET COUNTY

RESOLUTION 2011-43

RESOLUTION AUTHORIZING APPLICATION TO THE SOMERSET COUNTY 2011  
HISTORIC PRESERVATION GRANT PROGRAM FOR THE HISTORIC PRESERVATION  
OF THE BOROUGH HALL

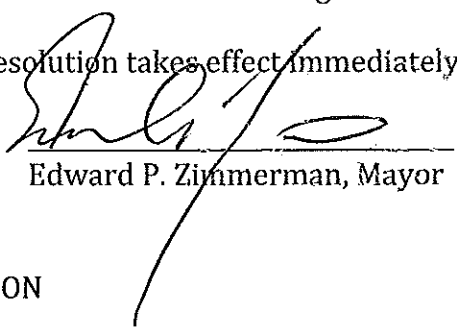
**WHEREAS**, the Borough Council of the Borough of Rocky Hill recognizes the value of preserving our historic and architectural legacy; and

**WHEREAS**, the Borough Council of the Borough of Rocky Hill recognizes the Historical Significance of the Borough Hall Building located at 15 Montgomery Avenue, in the Borough of Rocky Hill; and

**WHEREAS**, the Borough has begun the process of interviewing Architectural firms with Historic Preservation experience to assist in this preservation process.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Rocky Hill, authorizes the application to the Somerset County 2011 Historic Preservation Grant Program for the Historic Preservation of the Borough Hall.

**BE IT FURTHER RESOLVED** that this Resolution takes effect immediately.



Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Rocky Hill on April 18, 2011.

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Rebecca P. Newman  
Acting Borough Clerk

**EXPLANATION:** This Resolution authorizes the Mayor and Clerk to sign a Memorandum of Understanding with the Township of Montgomery for the maintenance of Van Horne Park.

**RESOLUTION 2011-44**

**BOROUGH OF ROCKY HILL  
SOMERSET COUNTY**

**WHEREAS,** Van Horne Park is comprised of 95± acres of land with portions of the Park located in both the Borough of Rocky Hill ("Borough") and the Township of Montgomery ("Township"); and

**WHEREAS,** pursuant to an agreement entitled "Agreement between Township of Montgomery and Borough of Rocky Hill Pertaining to Acquisition of Ingersoll-Rand and Schafer Tracts", dated September 5, 1996, the Borough and Township acquired Van Horne Park as a joint project in furtherance of the preservation of environmentally sensitive lands, the promotion of both passive and active recreational areas that benefit the health and welfare of residents of the Borough and the Township, and the protection of unique stream corridors and other public purposes; and

**WHEREAS,** the 1996 Agreement established the Township's and the Borough's respective rights, obligations, interests in, funding, development and maintenance of the Park; and

**WHEREAS,** the 1996 Agreement provided that the Township and the Borough would jointly provide for the maintenance and upkeep

of the Park, such costs to be divided by the municipalities as follows: Township 80%, Borough 20%; and

**WHEREAS**, in addition to the 1996 Agreement, the Township and Borough entered into a Lease Agreement, dated March 18, 1998, with the County of Somerset, a corporate body politic of the State of New Jersey, which County Lease has appended as Schedule "B" Maintenance Standards for Turf Areas and Ball Diamonds; and

**WHEREAS**, Schedule "B" of the County Lease is the minimum maintenance and upkeep standard for Turf Areas and Ball Diamonds; and

**WHEREAS**, the County Lease terminates on March 17, 2023; and

**WHEREAS**, the County Lease describes the responsibilities of the Township and Borough regarding the Park; and

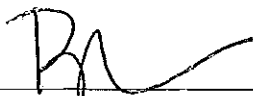
**WHEREAS**, the Township and the Borough now desire to supplement the 1996 Agreement and the County Lease in order to clarify in greater detail the protocol by which the Park shall be maintained and the aforesaid sharing of costs undertaken; and

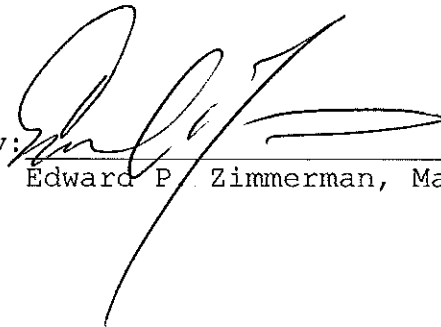
**WHEREAS**, the Council of the Borough of Rocky Hill desires to authorize the Mayor and Clerk to sign a Memorandum of Agreement in the form attached.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Rocky Hill, in the County of Somerset, State of New Jersey, as follows:

1. That the Mayor and Clerk are authorized to sign the Memorandum of Understanding for the Maintenance of Van Horne Park in the form attached to this Resolution.
2. That this Resolution takes effect immediately.

ATTEST:

By:   
Rebecca Newman,  
Acting Clerk

By:   
Edward P. Zimmerman, Mayor

**CERTIFICATION**

I, Rebecca Newman, Acting Clerk of the Borough of Rocky Hill, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on April 18, 2011.

\_\_\_\_\_  
Rebecca Newman, Acting Clerk